



delay this matter with regard to a briefing schedule because Counsel for the Estate was on a vacation.

The estate's filings do not comport with local rule 7.6, and as set forth in Losinger's response and motion to strike, the Estate has filed multiple statements of fact without leave of court. Additionally, counsel for the estate misrepresented to this court its certification for seeking concurrence or non-concurrence related to its motion for supplementation. The estate's contention that supplementation is required to ensure a full and fair evidentiary record before the court is also inaccurate. The state merely rephrases and rewrites the same factual assertions that it had in prior submissions.

The estate further provides no legitimate basis for failing to respond to statements of fact by P&G or for its request to submit multiple statements of fact in support of its motion for summary judgment or in response to the other parties' motions for summary judgment. Since taking depositions, there has been no additional discovery by any of the parties, but rather motions for summary judgment and briefings filed by Procter & Gamble and Losinger.

Every potential allegation raised in the estate's proposed supplementation is neither new or novel. The responding parties would be prejudiced if the estate were allowed to supplement its already repetitive and duplicative statements of fact. Losinger has met all of the court's deadlines and submitted her own timely motion

for summary judgment and briefs in support thereof. Currently, the case is ready for a decision by the court and all motions for summary judgment. For these reasons and the reasons set forth by P&G in its brief filed at ECF # 195, The estate's motion to supplement should be denied in Losinger's motion to strike the repetitive and duplicative SOUMF's should be granted.

Dated: May 26, 2022

Respectfully Submitted,

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